



# Town of Groton, Connecticut

## Meeting Minutes

### Town Council Committee of the Whole

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk 860-441-6640  
Town Manager  
860-441-6630

**Mayor Rita M. Schmidt, Councilors Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti, Heather Bond Somers and Harry A. Watson**

**Tuesday, July 8, 2014**

**6:00 PM**

**Town Hall Annex - Community Room 1**

#### **REGULAR MEETING**

**1. CALL TO ORDER**

*Mayor Schmidt called the meeting to order at 6:06 p.m.*

**2. ROLL CALL**

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson

Members Absent: Councilor Peruzzotti and Councilor Somers

*Also present was Town Manager Mark Oefinger.*

**3. Calendar and Communications**

*None.*

**4. Approval of Minutes**

**2014-0195 Approval of Minutes (Committee of the Whole)**

**RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES**

RESOLVED, that the minutes of the Town Council Committee of the Whole meetings of June 2, 2014 and June 10, 2014 are hereby accepted and approved.

**A motion was made by Councilor Frink, seconded by Councilor Moravsik, to adopt.**

**The motion carried by the following vote:**

**Votes:** In Favor: 6 - Mayor Schmidt, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson  
Abstain: 1 - Councilor Cerf

**5. UNFINISHED BUSINESS**

*None.*

**6. NEW BUSINESS**

**2013-0299 Establishment of a Charter Revision Commission**

**Not Discussed**

*Discussion of this item was previously deferred by the Committee of the Whole until Councilor Somers could be present. In light of her absence from the meeting, discussion was deferred again.*

**2014-0167 Airport Development Zones**

**Discussed**

*Kristin Clarke, Economic Development Specialist, noted that staff is obtaining information on and exploring the benefits of an Airport Development Zone and the process to establish one in Groton. Ms. Clarke explained the background of the zone which would be a two mile radius around the airport property boundaries. The benefits would be similar to the Enterprise Zone for certain types of businesses. Ms. Clarke reviewed the areas that would fall within the zone. Staff is currently developing a map and preparing an economic analysis narrative.*

*Councilor Frink expressed support for the effort and suggested that a development program be developed if the zone is instituted. It was noted that the Airport Development Zone is an overlay zone; it does not supersede underlying zoning. If the Town wants to pursue the designation, it must submit an application soon in order to make the legislative session in 2015. Councilor Cerf noted a potential for abuse because the area is so large. It was noted that the Connecticut Airport Authority is the ultimate decider of who receives benefits, but staff is still researching the process.*

*Councilor Somers arrived at 6:17 p.m.*

**Roll Call:** Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik, Councilor Somers and Councilor Watson  
Members Absent: Councilor Peruzzotti

**Discussed**

*Town Manager Oefinger noted there is only a small amount of land within the Airport Development Zone that would attract eligible businesses. He reviewed general criteria and noted that more information is needed. Councilor Cerf expressed concern that the state establishes the criteria. The Town Manager explained that the Town Council's role is to determine whether or not the zone should be established and all development must meet the underlying zoning. Councilor Flax asked about down sides to the proposal. The Town would need to work with a consultant to complete the submission in a timely manner and staff is suggesting that economic development funds be used. The Town Manager explained that the Airport Development Zone program is marketed by the state, which provides access to different businesses. The Town's local incentive program can be cumbersome. Councilor Flax expressed support if there is a return on the investment in a consultant investment. Discussion followed on the Enterprise Zone, which has been used by Pfizer and Electric Boat. Councilors Cerf and de la Cruz expressed support for the program.*

**2014-0200**

**FYE 2015 Economic Development Budget**

**Discussed and Recommended no action taken**

*Kristin Clarke, Economic Development Specialist, noted approval of \$40,100 in funding for economic development efforts as part of the FYE 2015 budget. She has considered allocation of the funding for non-recurring items since it is unknown if the money will be available in future years. Ms. Clarke reviewed the following ideas:*

*Marketing - print, website, marketing pieces and programs to benefit different segments; a guide to getting through the land use process in Groton; downtown Mystic parking guide that would explain parking locations.*

*Outreach - working with existing businesses; informational seminars; an inventory of available properties for sale (dynamic, searchable); participating in trade shows.*

*Professional and Technical Services - study of Airport Development Zone; graphic designers for marketing materials; retail market analysis.*

*Councilor Cerf expressed support for the initiatives and involvement of the Economic Development Commission and RTM Economic Development Task Force. Councilor Flax expressed support for the inventory and business profiles. Ms. Clarke identified some of the issues to be determined in order to establish an interactive inventory. Councilor Moravsik expressed support for the inventory. Councilor Somers agreed that a downtown Mystic parking guide is not necessary, but a how-to guide for the land use approval process is critical. Volunteers can be used to design marketing materials. Councilor Somers also feels that an inventory is a high priority. Councilor de la Cruz suggested a shuttle bus from Fitch to downtown Mystic on the weekends. Councilor Cerf advocated for using the Town's web site for economic development information rather than the CERC site. Ms. Clarke noted that the Town would need a full-time person to*

*maintain the site.*

*Town Manager Oefinger stated that the business caravans are very effective and help get local officials out to the businesses with little effort or cost. Also, the Town does have a property inventory, but the vast majority of the properties are not listed with a realtor.*

**2014-0194 Resolution in Support of Crystal Lake Road Reconstruction Project**

**Discussed**

*Gary Schneider, Director of Public Works, noted that a public information meeting was held on June 18th where preliminary road plans were presented. Attendees were all supportive of the project. The state requires a resolution from the Town Council expressing continuing support for the project and commitment of matching funds. The funding has already been committed and approved by the Council and RTM. Ms. Schneider reviewed the timeline for the project and other project details. Councilor Cerf asked how the Town's match will be paid. It was explained that funding has been authorized in CIP projects over the last three budget cycles and drawdowns will occur as the work happens.*

**A motion was made by Councilor Somers, seconded by Councilor Watson, that this matter be Recommended for a Resolution.**

*In response to Councilor de la Cruz, Mr. Schneider reviewed improvements at the Route 12/Crystal Lake Road intersection. Councilor Watson noted the benefits of the project. In response to Councilor Flax, Mr. Schneider explained that the resolution is required by federal and state governments as part of the process to proceed beyond preliminary design. The final plans will also require the Town Council's concurrence.*

**The motion carried unanimously**

**2014-0021 Disposition of Fitch Middle School**

**Discussed**

*Gary Schneider, Director of Public Works, noted corrections to his referral memo. Fitch Middle School has not yet transferred to the Town and no funds were approved in the FYE 2015 budget for maintenance. Mr. Schneider reviewed his referral memo covering the current use of the facility, reuse issues, and anticipated utility expenses for the building in a "caretaker state." In addition to the \$68,000 in utilities, the building needs about \$20,000 of maintenance and repair (telephone service, roof leaks, mowing of property). Using a \$3.31 per square foot average maintenance cost for Town buildings, it would cost \$374,000 for a comparable level of service for this building. Funds were approved in the CIP for a structural analysis by an architect.*

*Town Manager Oefinger explained that the purpose of having this item on the agenda is to 1) get the consultant assessment underway and 2) remind the Council about the need for a supplemental appropriation for utilities and maintenance once the building is turned over to the Town. The Town Manager is continuing to have discussions with LEARN about leasing the property, but it requires the property be transferred to the Town. Before the property can be transferred to the Town, Groton Public Schools must remove equipment and materials stored in the building.*

*It was noted that the budget does not include an anticipated revenue stream from LEARN that will offset some of the costs. Councilor Frink suggested that the study include a cost-benefit analysis of co-locating Town and Board of Education operations. Mr. Schneider suggested that the first phase of the study (codes and condition analysis) will take six to eight weeks. Discussion followed on consolidation of services and a potential timeframe.*

**2014-0196 Public Hearing on a Proposed Lease of a Portion of Fitch Middle School to Project LEARN**

**Discussed**

*Town Manager Oefinger has had a number of discussions with LEARN. A draft lease has been prepared, but more information needs to be added. The Town Council must conduct a public*

hearing on the proposed lease. The next meeting date that complies with statutory deadlines for advertising the public hearing is August 5th.

**A motion was made by Councilor Somers, seconded by Councilor Watson, that this matter be Recommended for a Resolution.**

*Town Manager Oefinger stated that the cost of the lease has not yet been determined, but the lease will be cost-neutral to the Town. LEARN is paying \$40,000 per year at its current location. The footprint of the area that LEARN wants to use has expanded and costs for system modifications will be borne by LEARN. The lease includes extension options, but the Town is in control of when the lease terminates.*

**The motion carried unanimously**

**2014-0197      Extension of Lease Agreements with TVCCA for 36-40 Central Avenue**

**Discussed**

*TVCCA is currently leasing three buildings from the Town on Central Avenue. Deb Monahan, the director of TVCCA, has indicated that she wants to apply to the State Department of Education for bond money to make improvements to the buildings, but the state requires TVCCA to have a lease with the Town for a minimum of 10 years. The three different leases currently have different end dates. One of the leases is so old that it predates the state statute requirement for a public hearing so the Town Manager requested that the Town Council schedule a public hearing on August 5th.*

**A motion was made by Councilor Watson, seconded by Councilor Moravsik, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2014-0198      Noank School Public Gardens - Update**

**Discussed**

*Town Manager Oefinger noted that the Town Council previously received the Planning Commission's comments on the CGS Section 8-24 referral electronically. The Town Manager has had a number of discussions with representatives of the Noank School Community Gardens and it has been determined that a Memorandum of Understanding (MOU), rather than a lease, would be sufficient. In order for the Town to enter into an MOU, it must be with an organized entity, which the group is not. The MOU will ultimately identify what the group is doing and the timeframe.*

*Councilor Somers suggested a motion to keep the Noank school property in the public domain and in the hands of the Town of Groton, and to create a Noank Public Gardens Commission to be made up of five to seven members (appointed by the Mayor) to oversee the public gardens, fundraise, and obtain donations through the Town. The commission would be comprised of representatives from different parts of the community. This would take the burden off of the Noank School Community Gardens group and give them the opportunity to start the garden to see if there is public support.*

*Councilor Frink feels the Town should sell the property and let Noank zoning and new owners determine what to do with it. The Planning Commission recommendation is not based on a lease, but on the land use.*

*Councilor Cerf expressed support for Councilor Somers' proposal, noting the garden is not a permanent use. If it is not successful after three years, the property can be sold.*

*Councilor de la Cruz feels there should be a formal lease for the property because of the size of the operation and the need to protect the Town.*

*Discussion followed on retention versus sale of the property. Mayor Schmidt noted it was only recently discovered that the property does not have to be used for education.*

*Councilor Moravsik noted that the group made presentations over a number of months indicating that they would organize and enter into a lease agreement. The Planning Commission is knowledgeable about land use and they cannot support a garden use on the property. He expressed support for selling the property.*

*Councilor Flax agreed that a community garden could be located anywhere, but the issue with selling the land is getting something through Noank zoning. A community survey indicated that people did not want the property sold and subdivided.*

*Mayor Schmidt suggested putting the discussion on hold until more information is available on the MOU. The Town Manager explained that the action taken to enter into a lease was premature. Under an MOU, the project will be much smaller. He suggested that the Council decide whether to keep or sell the property since the neighborhood is waiting to see what will happen. An MOU would provide authorization to do something on the property within the context of it continuing to remain a public facility, which is more appropriate. The Town Manager suggested that it is premature to set up a form of governance for the property.*

*Councilor Cerf read an excerpt from a 1948 newspaper article regarding the Noank School. The property was taken by eminent domain and it should remain public. Mayor Schmidt suggested that the site's history is not the subject of this discussion and she asked Councilor Cerf to stop speaking to the point, which Councilor Cerf did not.*

**A motion was made by Councilor Frink, seconded by Councilor de la Cruz, to censure Councilor Cerf.**

**The motion carried by the following vote:**

**Votes:** In Favor: 5 - Mayor Schmidt, Councilor Frink, Councilor de la Cruz, Councilor Moravsik and Councilor Watson  
Opposed: 3 - Councilor Cerf, Councilor Flax and Councilor Somers

**A motion was made by Councilor Watson, seconded by Councilor Flax, to go forward and ask the Town Manager to work on an MOU for gardens on the Noank School property and to report back to the Town Council on the progress.**

**The motion carried by the following vote:**

**Votes:** In Favor: 5 - Mayor Schmidt, Councilor Cerf, Councilor Flax, Councilor Somers and Councilor Watson  
Opposed: 3 - Councilor Frink, Councilor de la Cruz and Councilor Moravsik

**A motion was made by Councilor Flax, seconded by Councilor Somers, to reaffirm keeping the Noank School property in the public domain.**

**Town Manager Oefinger indicated he would look into the vote in light of the Planning Commission's action.**

**The motion carried by the following vote:**

**Votes:** In Favor: 5 - Mayor Schmidt, Councilor Cerf, Councilor Flax, Councilor Somers and Councilor Watson  
Opposed: 3 - Councilor Frink, Councilor de la Cruz and Councilor Moravsik

**2014-0199**

**Extension of Lease for CMEEC Electric Generating Facility, Gary Court**

**Discussed**

*The Town previously entered into an agreement with CMEEC, of which Groton Utilities is a member, for a generator on Gary Court. CMEEC would like to extend the lease to 2039 (currently 2021). No public hearing is necessary to extend the lease because one was previously held. The Town manager described the purpose of the facility and noted that the Town is also working with Groton Utilities to provide power in case there is a loss of power at the Water Pollution Control Facility.*

**A motion was made by Councilor Moravsik, seconded by Councilor Watson, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2014-0201 Legislative Policy Initiative to Increase Revenue****Discussed**

Councilor Frink distributed and read a handout on legislative policy initiatives to increase revenue. \$200,000 was put into the Legislative Policy account during the FYE 2015 budget. Councilor Frink is suggesting that a consultant conduct a market-based assessment of development potential in Groton and specific opportunity areas to be completed before development of the FYE 2016 budget. Councilor Frink noted the goals of enhancing the grand list, diversifying, stabilizing the mill rate, increasing employment opportunities, and enhancing quality of life. He then reviewed next steps.

**A motion was made by Councilor Frink, seconded by Councilor Moravsik, that this matter be Recommended for a Resolution.**

to authorize the Town Manager to:

(1) Solicit bids from qualified firms to perform a market based assessment of the economic/business development potential of Groton and determine if the economic value of the following (not in priority order) properties/geographic areas can be significantly increased.

- a. Mystic Oral School
- b. Downtown Mystic
- c. The Groton/Thames River interface including vacant Pfizer property on the Thames River
- d. Town owned former school properties
- e. Groton - New London Airport and potential development zone
- f. Long Hill Road shopping areas
- g. Industrial Park zoned properties (Flanders Road, Route 117 north of I-95)
- h. Flanders Road Industrial Park
- i. Others to be determined.

(2) Provide a ranking of sites based on criteria such as best use/greatest market potential, greatest return, least investment, shortest time to break-even, least risk, best fit to the community, best way to compete in the region, etc.

Councilor Cerf asked about the status of the Mystic Education Center property and the Town Manager reviewed his recent contact with the State Department of Economic and Community Development regarding the property. Councilor Flax clarified the intent of the motion and asked if marketing could be done by the same firm. Discussion followed on how a property advisor could be compensated. Councilor Flax also suggested that the consultant work directly with the Town's economic development division.

Discussion followed on the purpose of the effort, marketing property that is not owned by the Town, and the difficulties the Town has had getting community support for economic development efforts.

Councilor Watson recognized Peter Legnos of the Economic Development Commission. Mr. Legnos noted there is potential in Groton, but it requires the right marketing and infrastructure. The Town must increase revenue and reduce costs and make it a more affordable community.

Councilor de la Cruz noted that communication with the voters needs to improve to enhance the sense that there will be a return on the investment.

Councilor Cerf noted that a consultant was hired to develop the Economic Strategic Plan. The difference is that Goman and York have business connections and put deals together. Councilor Frink suggested this would be a market view, not a community view, to help coordinate efforts.

**The motion carried by the following vote:**

**Votes:** In Favor: 7 - Mayor Schmidt, Councilor Frink, Councilor de la Cruz, Councilor Flax, Councilor Moravsik, Councilor Somers and Councilor Watson  
Abstain: 1 - Councilor Cerf

**2014-0203      Mystic Streetscape Project Design - Second Supplemental Agreement**

**Discussed**

*Town Manager Oefinger explained this supplemental agreement with the state to cover some of the costs that have been incurred as part of the Mystic Streetscape project. The Department of Transportation has been very supportive of the project. This agreement will provide \$150,000 to \$160,000.*

**A motion was made by Councilor Somers, seconded by Councilor Flax, that this matter be Recommended for a Resolution.**

*The Town Manager noted that this funding is for engineering only. If there is a Phase III, there may be changes to the intersection that is beyond the Phase II project limits.*

**The motion carried unanimously**

**2014-0202      City Highway Budget Committee - Update**

**A motion was made by Mayor Schmidt, seconded by Councilor Flax, that the Town Council Committee of the Whole and Town Manager Mark R. Oefinger meet in executive session pursuant to Connecticut General Statutes § 1-200(6)(B) and 1-200(9)(C) for the purpose of strategy and negotiation with respect to the Committee of the Whole's consideration of action to enforce or implement legal relief or a legal right associated with July 8, 2014 Agenda New Business Item 2014-0202, "City Highway Budget Committee - Update."**

**The motion carried unanimously**

**Discussed**

*The executive session concluded at 9:25 p.m.*

**2013-0156      Town Manager Annual Evaluation (2013)**

**Discussed**

*It was noted that not all Councilors had submitted their evaluation forms. Councilor Cerf asked if the information submitted by Councilors is subject to FOI. Councilor Watson stated that the Town Attorney has not ruled on that issue and in the past the information was sealed and given to the Town Attorney. In response to Councilor Cerf, the Town Manager stated that his evaluations of employees are subject to FOI, but that doesn't mean that they have access to all information.*

**7.      Consideration of Committee Referral Items as per Town Council Referral List**

*None.*

**8.      OTHER BUSINESS**

*None.*

**9.      ADJOURNMENT**

*A motion was made by Councilor Moravsik, seconded by Councilor Watson, to adjourn the meeting at 9:35 p.m.*

*The motion carried unanimously.*